

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

STEVEN KIDERLEN,)
)
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Plaintiff,)
)
)
v.) No. 1:08CV138 LMB
)
)
DIVISION OF ADULT)
INSTITUTIONS, et al.,)
)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court on plaintiff's motion to reconsider. The motion will be denied.

On November 6, 2008, the Court found that plaintiff's complaint did not comply with Rules 8 or 10 of the Federal Rules of Civil Procedure, and the Court ordered plaintiff to file an amended complaint no later than December 8, 2008. To date, plaintiff has not submitted an amended complaint. Plaintiff never requested additional time to file an amended complaint.

On January 12, 2009, the Court noted that plaintiff had not supplied the Court with a current address, and the Court dismissed the complaint pursuant to Local Rule 2.06(B).

Plaintiff now moves the Court to reconsider its January 12, 2009, dismissal of this action because he notified the Court of his new address in November 2008.

The Court finds no reason to vacate the January 12, 2009, Order of Dismissal. The case was also subject to dismissal under Rule 41(b) because plaintiff failed to comply with the Court's November 6, 2008, Order. As a result, the Court will amend the January 12, 2009, Order of Dismissal to reflect that this action is dismissed pursuant to Rule 41(b) because plaintiff failed to comply with an order of the Court. The dismissal is without prejudice.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion for reconsideration [#14] is **DENIED**.

IT IS FURTHER ORDERED that the Order of Dismissal dated January 12, 2009, is **amended** to reflect the changes made in this Memorandum and Order.

IT IS HEREBY CERTIFIED that an appeal from this Order would not be taken in good faith.

Dated this 2nd Day of March, 2009.

/s/ Jean C. Hamilton
JEAN C. HAMILTON
UNITED STATES DISTRICT JUDGE